

## United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

UNITED STATES OF AMERICA

V.

United States Courts  
Southern District of Texas

## CRIMINAL COMPLAINT

Oscar Palomo

PRINCIPAL

USC

FILED

Case Number:

YOB: 1997

February 16, 2022

M-22- 0333-M

Nathan Ochsner, Clerk of Court

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about February 15, 2022 in Hidalgo County, in the Southern District of Texas defendants(s) did,  
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact Antonio Concepcion-Espinosa, a citizen and national of Mexico, and Darwin Geovanny Mozcoco-Morales, a citizen and national of Guatemala, along with six (6) other undocumented aliens, for a total of eight (8), who had entered the United States in violation of law, did knowingly transport, or move or attempted to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Linn, Texas to the point of arrest near Linn, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY

I further state that I am a(n) U.S. Border Patrol Agent and that this complaint is based on the following facts:

On February 15, 2022, at approximately 7:00am, a Border Patrol Agent assigned to highway operations observed a black Nissan Titan riding low. The agent drove alongside the vehicle and observed a male driver, wearing a green and white checkered shirt, talking to someone in the back seat. The agent did not see anyone in the back seats. Based on the agent's experience, this was an indication of subjects attempting to conceal themselves by hiding below the window. When the agent attempted to conduct a vehicle stop for an immigration inspection, the driver failed to yield and a pursuit ensued. After several evasive maneuvers and driving into a fence, the driver and several passengers fled the vehicle. The agent was able to apprehend two (2) subjects and an additional six (6) subjects that were trapped in the bed of the truck. With assistance from the Air Asset on scene, agents were able to apprehend the driver, whom matched the description relayed by the agent.

Agents identified the driver as Oscar Palomo, a United States citizen. The remaining eight (8) subjects were interviewed and freely admitted to being illegally present in the United States. All subjects were transported to the McAllen Border Patrol Station for processing.

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Complaint authorized by AUSA Colton Turner

Submitted by reliable electronic means, sworn to and attested telephonically per Fed. R. Cr.P.4.1, and probable cause found on:

/S/ Shakira Singho

Signature of Complainant

Shakira Singho

Border Patrol Agent

Printed Name of Complainant

Sworn to before me and subscribed in my presence,

February 16, 2022 12:00 PM

Date

at McAllen, Texas

City and State

Nadia S. Medrano, U. S. Magistrate Judge

Name and Title of Judicial Officer

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

**M-22-0333 -M**

**RE: Oscar Palomo**

**PRINCIPAL STATEMENT:**

Oscar Palomo, a United States citizen, was read his Miranda rights. Palomo understood his rights and agreed to provide a sworn statement.

Palomo claims he woke up the morning of February 15, 2022, in a house that was unknown to him, after a night of abusing Xanax. Palomo stated a female handed him his belongings and a male told him to get into a truck. Palomo continued by stating the male driving the truck stopped at a Dollar General on Monte Cristo Road and ordered him to trade seats and to drive north on U.S. Highway 281. Palomo said the male in the truck stated he would go home if everything went the way it was supposed to go. Palomo claimed he wanted to pull over when Border Patrol activated their emergency equipment behind him, but the passenger threatened to stab him if he did so.

**MATERIAL WITNESS #1:**

Antonio Concepcion-Espinosa, a citizen and national of Mexico, was read his Miranda rights in the Spanish language. Concepcion understood his rights and agreed to provide a sworn statement.

Concepcion stated his cousin made his smuggling arrangements and he paid \$2,200 to be smuggled into the United States. He said he crossed the Rio Grande River on November 13, 2021, with ten (10) other people. Concepcion claimed he lived with his cousin until he was taken to another house. Concepcion stated he had noticed a male (later identified as Oscar Palomo) stay at the house often and bring food. Concepcion added on February 15, 2022, Palomo opened the tailgate of the truck to let him and others in. Concepcion said he feared for his safety when he was in the truck bed because of the driver's erratic driving.

Concepcion identified Oscar Palomo, through a photo lineup, as the driver of the truck.

**MATERIAL WITNESS #2:**

Darwin Geovany Mozcoso-Morales, a citizen and national of Guatemala, was read his Miranda rights in the Spanish language. Mozcoso understood his rights and agreed to provide a sworn statement.

Mozcoso claims he made his own smuggling arrangements and paid \$14,000 to be smuggled into the United States. Mozcoso said he crossed the Rio Grande River on February 8, 2022, with thirteen others and was taken to an unknown house. Mozcoso added since that date, he had been moved to three different properties. Mozcoso indicated the last house he was held in was occupied by a family, and two other men that were in charge. Mozcoso said he had seen the driver of the truck (Oscar Palomo) several times while at the house. Mozcoso stated the driver of a truck instructed him and others to enter the truck to be smuggled north. Mozcoso added when he was in the bed of the truck, he felt an impact and opened the top of the bed cover.

Mozcoso identified Oscar Palomo, through a photo lineup, as the driver who entered the house several times and instructed him to enter the truck.